GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Appeal Petition dated 13-08-2014 preferred by Sri K.Harinadha Babu, former Superintendent, O/o Project Director, D.W & C.D.A., Ongole, Prakasam District (now retired) to reduce the penalty of 6% cut in admissible pension permanently imposed under Rule – 9 of A.P.Revised Pension Rules, 1980 vide G.O.Rt.No.195, Dept. for WCD & SCs (Estt.A1), dated 24-05-2014 – Reduction of penalty from 6% to 3% cut in admissible pension permanently – Orders – Issued.

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DEPT. FOR WOMEN, CHILDREN, DIFFERENTLY ABLED & Sr. CITIZENS [ESTT.– A1]

G.O.RT.No. 38 Dated: 17-02-2016

Read the following:-

01. G.O.Rt.No.195, Dept. for WCD & SCs (Estt.A1), dated 24-05-2014.
02. Appeal Petition dt.13-08-2014 preferred by Sri K.Harinadha Babu, former Supdt., O/o P.D, D.W & C.D.A., Ongole, and retired now.
03. Govt. Memo.No.2115/Estt.A2/2014-1, dated 18-08-2014.
04. From Commissioner (I/c), W.D & C.W., A.P., Hyderabad, Lr.No.2638/V/2013, dated 02-09-2014.
05. Govt. Memo.No.2115/Estt.A1/2014-2, dated 01-11-2014.
06. From the Commissioner, W.D & C.W., A.P., Lr.No.2638/Vig./2013, dated 09-12-2014.
07. Govt. Memo.No.2115/Estt.A1/2014-3, dated 08-05-2015.
08. From Dir., W.D & C.W., A.P., Lr.No.2638/V/2013, dt.31-08-2015.

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ORDER: -

Government vide G.O. 1st read above, under Rule – 9 of A.P.Revised Pension Rules, 1980, have issued orders, imposing a penalty of 6% [six percent] cut in admissible pension permanently in respect of Sri K.Harinadha Babu, Retd. Superintendent and former Superintendent, O/o Project Director, D.W & C.D.A., Ongole, Prakasam District, since out of the eight charges of irregularities in purchases framed against him, three charges (II, IV and VII) are proved and the remaining three charges (I, V and VI) are partially proved as reported by the Enquiry Officer and accordingly, concluded the disciplinary proceedings pending against the Charged Officer.

2. Sri K.Harinadha Babu, Retd. Supdt., O/o P.D., D.W & C.D.A., Guntur, has preferred an appeal petition dated 13-08-2014 vide reference 2nd read above, stating that he was worked as Superintendent, O/o P.D., D.W & C.D.A., Ongole during the year 2005 and that the disciplinary charges were framed against him by the then Commissioner, W.D & C.W., vide Memo.No.9381/Vig.1/2010, 27-04-2010 and thereafter, he was retired form service w.e.f. 31-08-2011, on attaining the age of superannuation. Subsequently, Govt. in Memo. No. 1623/Estt.A1/2012-7, dated 03-06-2013, had directed him to submit his explanation to the charges framed against him and that he was submitted his explanation on 15-06-2013, requesting the Govt. to drop the charges and also for releasing the pensionery benefits to him. The appellant had also stated that in fact, in the enquiry report, the Commissioner, W.D & C.W., has stated that " there is no loss caused to the exchequer as the charged officer booked the expenditure for pending bills and therefore, it is a procedural lapse only '. The Govt. had concluded the disciplinary proceedings pending against him by awarding with a punishment of 6% cut in pension permanently vide G.O. 1st cited. Further, Smt.P.Vijayakumari, the then P.D., D.W & C.D.A., Ongole (FAC), and presently working as CDPO, ICDS Project, Ongole, has also involved in the disciplinary case and that the Commissioner, W.D & C.W., has issued the punishment of stoppage of three annual grade increments with cumulative effect vide Progs.No.938/Vig.1/2009, dated 20-02-2013 and the Government after considering the appeal filed by her, have reduced the punishment of stoppage of three AGIs with cumulative effect to that of stoppage of one AGI with cumulative effect vide Memo.No.2191/Estt.A2/2013-3, dated 20-01-2014.

3. The appellant has also stated that he has not the Drawing and Disbursing Officer and also as a Superintendent to supervise the files as per the instructions of the D.D.O. and that there is no financial lose in this case and it is only a procedural lapse and therefore requested the Government to take into consideration of his appeal on par with Smt.P.Vijaya Kumari, the then P.D., D.W & C.D.A., and requested to reduce the punishment from 6% cut in pension to 3% cut in pension, on humanitarian grounds.

4. The Commissioner (I/c), W.D & C.W., A.P., vide Lr. 6th read above, has stated the Director, W.D & C.W., A.P., in Rc.No.938/V1/2009-1, 2 and 3 dated 27-04-2010, had framed eight charges against Smt.P.Vijaya Kumari, P.D., D.W & C.D.A., Ongole (FAC) and Sri K.Harinadha Babu, Superintendent and Sri M.Sekhar, Sr. Asst., O/o P.D., D.W & C.D.A., Ongole, as they have committed certain irregularities. The R.J.D., W.D & C.W., Ongole, has conducted a detailed enquiry on the above charges framed against all the above three Charged Officers and submitted her report stating that out of the eight charges, three charges (2, 4 and 7) are held proved; two charges (3 and 8) are not held proved and three charges (1, 5 and 6) are partially proved. Based on the enquiry report, the Commissioner, W.D & C.W., has issued orders vide 938/V1/2009, dated 20-02-2013, imposing the punishment of stoppage of three AGIs with cumulative effect in respect of Smt.P.Vijaya Kumari, I/c P.D., D.W & C.D.A., Ongole and similarly Govt. have issued orders vide G.O.Rt.No.195, Dept. for WCD & SCs (Estt.A1) Dept. dt.24-05-2014 in respect of the appellant. Government after considering the appeal filed by Sri P.Vijaya Kumari, have issued orders in Memo.No.2191/Estt.A2/2013-3, dated 20-01-2014, reducing the punishment i.e. stoppage of one AGI instead of three AGIs, cut with cumulative effect. The appellant had appealed the Govt. to request to reduce the punishment to 3% cut from 6% for his pensionery benefits, as was done in the case of Smt.P.Vijayakumari, as the charges framed against them are one and the same. Further, out of the eight charges framed against the appellant, only three charges i.e. 2, 4 and 7 are held proved. The Director, W.D & C.W., A.P., had submitted the above for consideration of appeal petition filed by the appellant.

5. In the foregoing circumstances, Government after considering the appeal petition dated 13-08-2014 preferred by Sri K.Harinadha Babu, Retd. Superintendent, O/o P.D., D.W & C.D.A., Guntur, hereby order to reduce the penalty of 6% cut in admissible pension permanently imposed by the Government vide G.O.Rt.No.195, Dept. for WCD & SCs (Estt.A1) Dept. dt. 24-05-2014 to that of 3% cut in admissible pension permanently, on par with Smt.P.Vijayakumari, former P.D (FAC), D.W & C.D.A., Ongole vide Memo.No.2191/Estt.A2/2013-3, dated 20-01-2014.

6. The Spl. Commissioner, W.D & C.W., A.P., Hyderabad, is requested to take necessary further action, in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. (Smt.) POONAM MALAKONDIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
Sri K.Harinadha Babu, former Superintendent, O/o P.D., D.W & C.D.A., Ongole, Prakasam and retired now, thro Spl. Commnr., W.D & C.W., A.P., Hyderabad.
The Spl.Commissioner, W.D & C.W., A.P., Hyderabad.
The Accountant – General, A.P., Hyderabad.
Copy to: -
SF / SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER